

THURSDAY, MARCH 4, 1993

SIXTEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Mark Ashley, Arlington United Methodist Church, Nashville, Tennessee.

Representative Knight led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Coffey; NCSL meeting in Nevada on March 3 and 4.

Representative Jackson; meeting in Washington, D. C.

Representative Johnson; illness.

Representative Rigbsby; father's death.

ROLL CALL

The roll call was taken with the following results:

Present 93

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garfett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 93.

EXCUSED

The Speaker announced that the following member(s) has/have been

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

excused on February 25, 1993, pursuant to request(s) under Rule No. 20:

Representative Jackson; weather conditions.

REPORT OF CHIEF ENGROSSING CLERK
March 4, 1993

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 405, 551, 554, 674, 817, 915, 916, 936 and 950; also, House Joint Resolution(s) No(s). 68 and 69.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES
March 4, 1993

The Calendar and Rules Committee has met and set the following bill(s) on the Regular Calendar for Monday, March 8, 1993: House Bill(s) No(s). 698, 510, 239 and 338.

The Committee set the following bills on the Regular Calendar for Wednesday, March 10, 1993: House Bill(s) No(s). 868, 869, 100 and 771.

RULES SUSPENDED

Rep. Cole (Carter) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 87 out of order, which motion prevailed.

Senate Joint Resolution No. 0087 -- Memorials, Heroism -- Todd McKeahan.

Rep. Cole (Carter) asked that the Clerk read the resolution.

On motion of Rep. Cole (Carter), with the request that all members voting aye be added as sponsors, the resolution was concurred in by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan,

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 0093 -- Naming and Designating -- "Employee Assistance Program Awareness Month," March 1993. by *West.

Consumer and Employee Affairs Committee.

***House Joint Resolution No. 0098 -- General Assembly, Directed Studies. -- Urges Bureau of Medicaid to pursue implementation of point of sale drug utilization review system; directs study of legislation relative to creating presumption of good faith when providing health care services to persons without current verification of medicaid eligibility. by *Crain.**

Health and Human Resources Committee.

***House Joint Resolution No. 0100 -- Highway Signs -- "National Medal of Honor Museum," I-24, I-124; "National Knife Museum," I-75. by *Turner B.**

Transportation Committee.

RESOLUTIONS.

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Monday, March 8, 1993:

House Resolution No. 0012 -- Memorials, Sports -- Jefferson County High School Patriette Dance Team. by *Davis Ronnie, *Huskey.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1601 -- Bartlett -- Revises and reenacts charter. Amends Chapter 449, Acts of 1905, as amended. by *Byrd, *Haley.

House Bill No. 1602 -- Halls -- Extends terms of office from two

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

to four years for mayor and aldermen; changes rate of mayor's compensation. Amends Chapter 445, Acts of 1901, as amended. by *Crain.

House Bill No. 1603 -- Alcoa -- Revises charter to allow city manager to submit estimate of expenditures and revenues in timely manner. Amends Chapter 510, Private Acts of 1919, as amended. Amends TCA, Title , Chs. 85, 114, 510. by *Anderson.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 0134 -- Garnishments and Executions --** Removes provision which terminates lien on subsequent earnings until expiration of employer's payroll period immediately prior to three months after service of execution. Amends TCA, Title 26, Ch. 2, Pt. 2. (HB 0206).

***Senate Bill No. 0139 -- Trusts --** Makes only trust assets payable to defendant subject to execution. Amends TCA 26-4-101. (HB 0298).

***Senate Bill No. 0229 -- Fiduciaries --** Adds definition of "bad faith" to Uniform Fiduciaries Act. Amends TCA, Title 35, Ch. 2. (HB 0549).

***Senate Bill No. 0815 -- Chiropractors --** Adds position of vice president to board of chiropractic examiners. Amends TCA, Title 63, Ch. 4. (HB 0527).

***Senate Bill No. 1009 -- Psychologists --** Increases the membership of the board of examiners in psychology from five to seven. Amends TCA 63-11-101. (HB 0695).

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1599 -- Martin -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 1600 -- Bells -- Held on Clerk's desk pending approval by local delegation.

CONSENT CALENDAR

House Joint Resolution No. 0091 -- Memorials, Death -- Willard

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

E. Rooks, of Martin.

House Joint Resolution No. 0094 -- Memorials, Public Service -- Margaret Burr.

House Joint Resolution No. 0095 -- Memorials, Public Service -- Anna Alexander.

House Joint Resolution No. 0096 -- Memorials, Sports -- Greg Ryan, Greenback High School quarterback.

House Joint Resolution No. 0097 -- Memorials, Death -- Judge Ross Dyer of Halls.

House Joint Resolution No. 0099 -- Memorials, Recognition and Thanks -- Jeanette Cantrell Rudy.

House Joint Resolution No. 0101 -- Memorials, Death -- Deputy Chief Ken Parker, Chattanooga.

Senate Joint Resolution No. 0056 -- Memorials, Death -- Elbert W. Krick.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Nifeh -- 95.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 0644** -- Parks, Natural Areas Preservation -- Authorizes creation of nonprofit organizations to support and enhance state park programs. Amends TCA, Title 11, Ch. 3.

Rep. Purcell moved that House Bill No. 644 be passed on third and final consideration.

Rep. Purcell moved to adopt Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 644 by deleting Section 4(d) in its entirety and substituting the following:

(d) the provision of volunteer personnel services or monetary contributions for adding state positions for park services;

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved that House Bill No. 644, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 0683 -- Courts -- Creates administrative office of courts and the powers and responsibilities of office and director. Amends TCA, Title 16, Chs. 3, 21.

Rep. Purcell moved that House Bill No. 683 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Haun -- 1.

A motion to reconsider was tabled.

House Bill No. 0684 -- Courts, Supreme Court of Tennessee -- Changes name of executive secretary to supreme court to administrative director of the courts. Amends TCA, Titles 8--10, 16--18, 23, 33, 36, 37, 40, 55, 67.

Rep. Purcell moved that **House Bill No. 684** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Haun -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from present not voting to yes on House Bill No. 684 and have this statement entered in the Journal: Rep(s). Ben West.

REGULAR CALENDAR, CONTINUED

House Bill No. 0685 -- Judicial Officers -- Consolidates function of appellate court clerks into clerk of supreme court and appropriate deputies; requires deposit of appellate court fees into state treasury for state court system. Amends TCA, Title 8, Ch. 21, Pt. 5; Title 8, Ch. 22, Pt. 3; Title 8, Ch. 23, Pt. 1; Title 18, Ch. 3, Pt. 1.

Rep. Purcell moved that House Bill No. 685 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 685 by deleting from the amendatory language of Section 1 the language "clerk of the supreme court and the appropriate deputy clerk for an intermediate appellate court" and substituting instead the language "clerk of the supreme court and chief deputy clerks of the supreme court".

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved that House Bill No. 685, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

Representatives voting no were: Haun -- 1.

A motion to reconsider was tabled.

House Bill No. 0665 -- Military -- Creates position of deputy assistant adjutant general. Amends TCA 58-1-201.

Rep. Hargrove moved that **House Bill No. 665** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 0666 -- Military -- Allows extension of army medical department officer appointment past present appointee's 60th birthday. Amends TCA 58-1-218.

Rep. Hargrove moved that **House Bill No. 666** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway,

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

House Bill No. 0655 -- Health, Dept. of -- Specifies responsibilities of department with respect to administration of alcohol and drug abuse services. Amends TCA, Title 4, Chs. 3, 31; Title 33, Chs. 1--3, 8; Title 68, Chs. 11, 24.

Rep. Hargrove moved that **House Bill No. 655** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: DeBerry -- 1.

A motion to reconsider was tabled.

House Bill No. 059 -- Mental Illness -- Specifies conditions under which superintendent of developmental center may discharge patients; specifies procedures for requesting discharge by guardian. Amends TCA 33-5-101--104.

Rep. Hargrove moved that House Bill No. 659 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	1
Present and not voting	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Shirley -- 1.

Representatives present and not voting were: Chumney, Jones U (Shelby), Miller -- 3.

A motion to reconsider was tabled.

House Bill No. 0051 -- Contractors -- Prohibits provisions in contracts, subcontracts or purchase orders for improvement of real property which subject it to substantive laws of another state or mandates exclusive forum for dispute resolution to be another state. Amends TCA, Title 66, Ch. 11, Pt. 2.

Rep. Robinson moved that House Bill No. 51 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 15 by deleting the amendatory language of Section 1 and by substituting instead the following language:

(a) Except as provided in subsection (b), a provision in any contract, subcontract or purchase order for the improvement of real property in this state is void and against public policy if it makes the contract, subcontract or purchase order subject to the substantive laws of another state or mandates that the exclusive forum for any litigation, arbitration or other dispute resolution process

is located in another state.

(b) The prohibition of subsection (a) shall not apply to any contract, subcontract or purchase order for the improvement of real property which is located partially in Tennessee and partially in another state or states. Venue in a dispute over such contract may be in any state in which part of the property is located.

On motion, Amendment No. 1 was adopted.

Rep. Robinson moved that House Bill No. 51, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U* (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

*House Bill No. 0027 -- Adoption -- Allows court to require that prospective adoptive parents obtain counseling relative to responsibilities of being adoptive parents prior to entry of decree or order of adoption. Amends TCA, Title 36, Ch. 1, Pt. 1.

Rep. Buck moved that House Bill No. 27 be passed on third and final consideration.

Rep. Buck moved that House Bill No. 27 be reset one week to the Calendar for Thursday, March 11, 1993, which motion prevailed.

MESSAGE FROM THE SENATE
March 4, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

Joint Resolution(s) No(s). 89; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0089 -- Memorials, Recognition and Thanks -- Dr. John Richard de Witt. by *Kyle, *Person.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

*House Joint Resolution No. 0001 -- Memorials, Government Officials -- Urges and encourages department of health to improve inspection of food service establishments to ensure general sanitary conditions.

Rep. Pruitt moved that House Joint Resolution No. 1 be adopted.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Joint Resolution No. 1 by adding the following language between the first and second sentences of the first resolving clause:

The department is further urged and encouraged to ensure that their inspectors enforce the rule requiring employees who work around food products to wear a hair net or otherwise keep their hair neatly covered.

On motion, Amendment No. 1 was adopted.

Rep. Pruitt moved that House Joint Resolution No. 1, as amended, be adopted.

Rep. Pruitt moved that House Joint Resolution No. 1 be reset to the Calendar for Wednesday, March 10, 1993, which motion prevailed.

*House Bill No. 0008 -- Birth Control -- Requires department of human services to provide information on birth control and contraceptive implants available through medicaid program to women of child bearing age who qualify for medicaid. Amends TCA, Title 71, Ch. 5.

On motion, House Bill No. 8 was made to conform with Senate Bill No. 44; the Senate Bill was substituted for the House Bill.

Rep. Pruitt moved that Senate Bill No. 44 be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 44 by deleting in its entirety all the language following the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, is amended by adding the following language as a new, appropriately designated section:

Section _____. (a) The department of human services shall provide written information concerning the availability through the medicaid program of the Norplant contraceptive implant, or other functionally equivalent contraceptive which provides similar long-lasting pregnancy prevention, to all AFDC recipients when such persons apply for benefits or are recertified. The department of human services shall provide information concerning the availability of birth control and contraceptive implants to all males whose income is below the federal poverty level and are receiving any other state or federal government subsidies including but not limited to food stamps, if such males also qualify for medicaid and are able to impregnate females. Such information shall also be supplied to other women of child bearing age whose income is below the federal poverty level and are receiving any other state or federal government subsidies, including but not limited to food stamps, if such persons also qualify for medicaid. The information provided shall clearly state that qualified health care providers are available to discuss the contraceptive in more detail upon request.

(b) Together with the information concerning availability required to be provided pursuant to subsection (a), the department of human services shall also provide to each eligible recipient, information regarding any risks involved in having such contraceptive implanted as well as information on the use of all types of contraceptives, including abstinence, which shall be disseminated in a manner that is reasonably calculated to make the information easily accessible to all recipients under the Aid to Families with Dependent Children program as well as to other women of child bearing age whose income is below the federal poverty level and are receiving any other state or federal government subsidies, including but not limited to food stamps, if such persons also

qualify for medicaid. The department of human services' case workers will assist in making the appointment with the appropriate county health department.

SECTION 2. This act shall take effect July 1, 1993, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Pruitt moved to adopt Amendment No. 2 as follows:

Amendment No. 2

Amend Senate Bill No. 44 by deleting the words "implant, or" in the first sentence of subsection (a) of the amendatory section in Section 1 and by substituting instead the words "implant, and".

On motion, Amendment No. 2 was adopted.

Rep. McDaniel moved to adopt Amendment No. 3 as follows:

Amendment No. 3

Amend Senate Bill No. 44 by deleting from the second sentence of subsection (a) of Section ___ added by the amendatory language of Section 1 of House Health and Human Resources Committee Amendment 1 the words "birth control and".

Rep. Turner (Hamilton) moved that Amendment No. 3 be tabled, which motion failed by the following vote:

Ayes.	39
Noes.	48
Present and not voting.	1

Representatives voting aye were: Armstrong, Arriola, Bragg, Brooks, Brown, Buck, Chumney, Clark, Collier, DeBerry, Dixon, Fisher, Fowlkes, Garrett, Givens, Head, Herron, Hillis, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, Knight, Love, Miller, Mires, Odom, Owenby, Pruitt, Purcell, Rhinehart, Robinson, Thompson, Turner (Hamilton), Turner (Shelby), West, Williams (Shelby), Williams (Williamson), Wix -- 39.

Representatives voting no were: Allen, Anderson, Bell, Bittle, Boyer, Byrd, Callicott, Chiles, Cole (Carter), Cole (Dyer), Davidson, Davis, Duer, Ferguson, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Joyce, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Peroulas Draper, Phelan, Phillips, Pinion, Ramsey, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Venable, Walley, Westmoreland, Whitson, Williams (Union), Windle, Winningham, Wood -- 48.

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

Representatives present and not voting were: Crain -- 1.

Rep. Pruitt moved that Senate Bill No. 44 be reset one week to the Calendar for Thursday, March 11, 1993, which motion prevailed.

House Bill No. 0822 -- Boards and Commissions -- Requires governor to appoint one citizen member to each health related board which does not have citizen member; term shall be same as other members of board to which such person appointed. Amends TCA, Title 63.

Rep. Herron moved that House Bill No. 822 be reset two weeks to the Calendar for Thursday, March 18, 1993, which motion prevailed.

RULES SUSPENDED

Rep. Williams (Shelby) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 89 out of order, which motion prevailed.

Senate Joint Resolution No. 0089 -- Memorials, Recognition and Thanks -- Dr. John Richard de Witt.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Williams (Shelby), the resolution was concurred in.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

***House Bill No. 0034 -- Home Improvement Contractors --** Makes provisions of Home Improvement Licensing Act applicable only in four largest counties; provides for refund of fees paid in other counties; exempts certain church sanctuaries from Contractors Licensing Act of 1976. Amends TCA 62-6-103; Title 62, Ch. 37.

Rep. Buck moved that House Bill No. 34 be passed on third and final consideration.

Rep. Rhinehart moved Commerce Committee Amendment No. 1 to the heel of the amendments.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 34 by deleting the amendatory language of Section 1 and by substituting instead the following:

(ii) Notwithstanding the provisions of subdivision (a)(1), any church that owns property and undertakes not more than three thousand (3,000) square feet of either new construction or an addition to an existing structure is exempt from the requirements of this chapter.

On motion, Amendment No. 2 was adopted.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 3.

Rep. Rhinehart moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Buck moved to adopt Amendment No. 5 as follows:

Amendment No. 5

Amend House Bill No. 34 by deleting Section 3 in its entirety and by renumbering the effective date section accordingly.

On motion, Amendment No. 5 was adopted.

Rep. Haun moved to adopt Amendment No. 6 as follows:

Amendment No. 6

Amend House Bill No. 34 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ Tennessee Code Annotated, Section 62-37-126, is amended by adding the following new subsection (c):

(c) Notwithstanding the provisions of subsection (b) to the contrary, any county may, by a majority vote of its legislative body, elect to make the provisions of this chapter applicable in such county. Any county electing to come within the provisions of this chapter shall so notify the home improvement commission.

Rep. Rhinehart moved that Amendment No. 6 be tabled, which motion failed by the following vote:

Ayes.	28
Noes.	51
Present and not voting.	4

Representatives voting aye were: Brown, Buck, Callicott, Collier, Cross, Davidson, Dixon, Ferguson, Fisher, Fowlkes, Hassell, Head, Hillis, Liles, Miller, Mires, Napier, Odom, Pruitt, Rhinehart, Ridgeway, Shirley, Stulce, Thompson, Turner (Shelby), Williams

(Shelby), Williams (Williamson), Wix -- 28.

Representatives voting no were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Byrd, Chiles, Clark, Cole (Carter), Cole (Dyer), Davis, Duer, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Haun, Herron, Huskey, Jones R (Shelby), Kernell, Knight, Lewis, McAfee, McDaniel, McKee, Meyer, Moore, Peroulas, Draper, Phelan, Phillips, Pinion, Ramsey, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Turner (Hamilton), Venable, Walley, Westmoreland, Whitson, Williams (Union), Windle, Winningham, Wood -- 51.

Representatives present and not voting were: Bragg, Chumney, Love, West -- 4.

Rep. Haun renewed the motion to adopt Amendment No. 6.

Rep. Givens moved the previous question on Amendment No. 6, which motion prevailed by the following vote:

Ayes.	78
Noes.	9
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Chiles, Clark, Cole (Carter), Cole (Dyer), Collier, Cross, Davidson, Davis, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Joyce, Kent, Kisber, Knight, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood -- 78.

Representatives voting no were: Brown, Callicott, Chumney, Dixon, Jones U (Shelby), Kernell, Miller, Turner (Shelby), Williams (Shelby) -- 9.

Representatives present and not voting were: Love -- 1.

Rep. Haun renewed the motion to adopt Amendment No. 6, which motion prevailed, with Rep. Windle requesting to be recorded as voting no.

Rep. Buck moved to adopt Amendment No. 7 as follows:

Amendment No. 7

Amend House Bill No. 34 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that and the provision of this act are declared to be severable.

On motion, Amendment No. 7 was adopted.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Buck moved that House Bill No. 34, as amended, be passed on third and final consideration.

Rep. Moore moved the previous question, which motion prevailed by the following vote:

Ayes.	74
Noes.	14

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Byrd, Chiles, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Duer, Ferguson, Fowlkes, Givens, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood -- 74.

Representatives voting no were: Brooks, Brown, Callicott, Chumney, DeBerry, Dixon, Gunnels, Jones R (Shelby), Jones U (Shelby), Liles, Miller, Shirley, Turner (Shelby), Williams (Shelby) -- 14.

Rep. Buck moved that House Bill No. 34, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	79
Noes.	14

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Boyer, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Halteman Harwell, Hargrove, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Venable, Walley, West,

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

Westmoreland, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Armstrong, Brooks, Brown, Chumney, DeBerry, Dixon, Hassell, Jones U (Shelby), Joyce, Miller, Shirley, Thompson, Turner (Shelby), Williams (Shelby) -- 14.

A motion to reconsider was tabled.

House Bill No. 0515 -- Contractors -- Exempts church that builds sanctuary designed for 300 or less on own property from requirement that such church have license to engage in contracting. Amends TCA 62-6-103.

Rep. Buck moved that House Bill No. 515 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 515 by deleting the amendatory language of Section 1 and by substituting instead the following:

Notwithstanding the provisions of subdivision (a)(1), any church that owns property and undertakes not more than three thousand (3,000) square feet of either new construction or an addition to an existing structure is exempt from the requirements of this chapter.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved House Bill No. 515, as amended, to the Heel of the Calendar.

House Bill No. 0435 -- Election Laws -- Adds home and business telephone numbers to information each person making inspection of campaign finance forms must provide. Amends TCA 2-10-111.

The Speaker announced that House Bill No. 435 was reset one week to the Calendar for Thursday, March 11, 1993, which motion prevailed.

***House Bill No. 0005 -- Annexation -- Requires annexing municipality to operate its government on same time zone as area annexed if such territory is located in different time zone. Amends TCA 4-1-401; Title 6, Ch. 51, Pt. 1.**

Further consideration of House Bill No. 5, previously considered on March 1 and 3, 1993. On March 1, a motion was made to adopt Amendment No. 1; it was then reset to the Calendar for March 3, 1993, at which time Amendment No. 1 was withdrawn and the bill was

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

reset to the Calendar for March 4, 1993.

Rep. Rhinehart moved that House Bill No. 5 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	79
Noes.	8
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Boyer, Bragg, Buck, Byrd, Callicott, Chiles, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hassell, Haun, Head, Herron, Hillis, Huskey, Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 79

Representatives voting no were: Armstrong, Brown, DeBerry, Jones R (Shelby), Jones U (Shelby), Miller, Ritchie, Westmoreland -- 8.

Representatives present and not voting were: Brooks, Dixon, Turner (Shelby) -- 3.

A motion to reconsider was tabled.

House Bill No. 0515 -- Contractors -- Exempts church that builds sanctuary designed for 300 or less on own property from requirement that such church have license to engage in contracting. Amends TCA 62-6-103.

Rep. Buck moved that House Bill No. 515 be reset to the Calendar for Monday, March 8, 1993, which motion prevailed.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 102 out of order, which motion prevailed.

House Joint Resolution No. 0102 -- General Assembly, Directed Studies -- Directs fiscal review committee to study certain issues pertaining to exemptions and exclusions from sales and use tax. by *Jones R, *Rhinehart, *Bragg, *Purcell, *Davis Ronnie, *Bittle.

On motion, the rules were suspended for the immediate

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

consideration of the resolution.

On motion of Rep. Purcell, the resolution was adopted.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, March 8, 1993:

House Bill No. 109: Rep. Walley.

BILLS WITHDRAWN

On motion of Rep. Boyer, House Bill No. 572 was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

RULES SUSPENDED

Rep. Anderson moved that the rules be suspended for the introduction and passage on first consideration of House Bill No. 1604, which motion prevailed.

House Bill No. 1604 -- Blount County -- Increases hotel/motel and campground tax. Amends Chapter 102, Private Acts of 1979, as amended. by *Anderson, *Owenby.

SPONSORS ADDED

Under Rule No. 43, the following member(s) was/were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 8: Rep(s). Herron and Kernell as prime sponsor(s).

House Bill No. 34: Rep(s). Moore and Whitson as prime sponsor(s).

House Bill No. 127: Rep(s). Duer as prime sponsor(s).

House Bill No. 309: Rep(s). Tindell as prime sponsor(s).

House Bill No. 397: Rep(s). Haley, Shirley and Tindell as prime sponsor(s).

House Bill No. 503: Rep(s). Haley as prime sponsor(s).

House Bill No. 543: Rep(s). Tindell as prime sponsor(s).

House Bill No. 595: Rep(s). Haley and Shirley as prime sponsor(s).

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

House Bill No. 632: Rep(s). Armstrong as prime sponsor(s).

House Bill No. 637: Rep(s). Tindell as prime sponsor(s).

House Bill No. 644: Rep(s). Kernell as prime sponsor(s).

House Bill No. 715: Rep(s). Tindell as prime sponsor(s).

House Bill No. 716: Rep(s). Tindell as prime sponsor(s).

House Bill No. 822: Rep(s). Garrett and Kernell as prime sponsor(s).

House Bill No. 828: Rep(s). Fisher as prime sponsor(s).

House Bill No. 829: Rep(s). Fisher as prime sponsor(s).

House Bill No. 834: Rep(s). Tindell as prime sponsor(s).

House Bill No. 835: Rep(s). Tindell as prime sponsor(s).

House Bill No. 965: Rep(s). Tindell as prime sponsor(s).

House Bill No. 1276: Rep(s). Owenby as prime sponsor(s).

House Bill No. 1500: Rep(s). Hillis and Rhinehart as prime sponsor(s).

House Bill No. 1539: Rep(s). Herron as prime sponsor(s).

House Bill No. 1576: Rep(s). Tindell as prime sponsor(s).

House Bill No. 1593: Rep(s). Cole (Dyer) as prime sponsor(s).

House Joint Resolution No. 91: Rep(s). Pinion as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep. Haley was removed as sponsor of House Bill No. 1.

On motion, Rep. Arriola was removed as sponsor of House Bill No. 1132.

On motion, Rep. Williams (Union) was removed as sponsor of House Bill No. 1497.

ENROLLED BILLS

March 4, 1993

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 87 and 92.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

SIGNED
March 4, 1993

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 87 and 92.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
March 4, 1993

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 24, 57, 98 and 154; also, Senate Joint Resolution(s) No(s). 69, 74, 76, 77, 78 and 79.

MESSAGE FROM THE SENATE
March 4, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 90; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 4, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 266; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 4, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 976, 989, 1154 and 1155; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 4, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 246, 556 and 650; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

March 4, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 271; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 4, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 652; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

March 4, 1993

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 51, 644, 655, 659, 665, 666, 683, 684, and 685; also, House Joint Resolution(s) No(s). 91, 94, 95, 96, 97, 99, and 101.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 4, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 87 and 92; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 4, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 53, 74, 75, 76 and 78; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 4, 1993

MR. SPEAKER: I am directed to return to the House, House

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

Bill(s) No(s). 672; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 4, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 81; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0081 -- Naming and Designating -- Martin Luther King, Jr., Solidarity Day, March 14, 1993. by *Ford, *Kyle.

MESSAGE FROM THE SENATE
March 4, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 189, 199, 556, 596, 597, 616, 630, 666, 687, 694 and 996; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

*Senate Bill No. 0189 -- Water Pollution and Water Resources -- Revises name of Tennessee Upper Duck development agency to Tennessee Duck River development agency. Amends TCA 4-29-217; Title 64, Ch. 1, Pt. 6. by *Springer, *Cooper, *Jordan.

*Senate Bill No. 0199 -- Children -- Authorizes surrender of children in juvenile court. Amends TCA, Title 36, Ch. 1. by *Person.

*Senate Bill No. 0556 -- Notary Public -- Allows notary public elected by county legislative body to be certified as notary at large in all counties upon application to secretary of state. Amends TCA, Title 8. by *Kyle.

*Senate Bill No. 0596 -- Metropolitan Government -- Increases number of members of board required to approve removal of member for good cause by majority vote from two thirds to three fourths. Amends TCA 7-2-108. by *Rochelle.

*Senate Bill No. 0597 -- Taxes, Real Property -- Enables recorders or other officers to sell real estate for which delinquent taxes have not been paid; sets out publication requirements for such sales. Amends TCA 6-55-201, 203. by *Rochelle.

Senate Bill No. 0616 -- DUI/DWI Offenses -- Revises BAC test fee in Davidson County from \$17.50 to up to \$50; changes fee for making

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

arrests in criminal cases in Davidson County to up to \$50, as determined by county legislative body. Amends TCA, Titles 8, 55. by *Harper.

Senate Bill No. 0630 -- Alcoholic Beverages -- Permits establishment of microbreweries in Knox County under certain circumstances. Amends TCA, Title 57, Ch. 5. by *Koella.

***Senate Bill No. 0666 -- Agriculture --** Exempts seed cotton trailers and wagons from certain size restrictions. Amends TCA, Title 55, Ch. 7. by *Hamilton.

***Senate Bill No. 0687 -- Utilities, Utility Districts --** Authorizes compensation of \$100 per month for public utility board members in Sullivan County if county legislative body approves. Amends TCA 5-16-103. by *Holcomb.

***Senate Bill No. 0694 -- Regional Authorities --** Authorizes local legislative body to provide compensation for members of regional planning commission. Amends TCA 13-3-101. by *Holcomb, *Crowe.

***Senate Bill No. 0996 -- Probate Law --** Requires filing in court to take elective share in decedent's property; if mailed, to be by certified mail, return receipt requested. Amends TCA, Title 31, Ch. 4, Pt. 1. by *Jordan.

ENGROSSED BILLS

March 4, 1993

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 5 and 34; also, House Joint Resolution(s) No(s). 102.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 4, 1993

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 87 and 92.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

March 4, 1993

The following bills have been enrolled and are ready for the signatures of the Speakers: House Bills(s) No(s). 271.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

THURSDAY, MARCH 4, 1993 -- SIXTEENTH LEGISLATIVE DAY

SIGNED
March 4, 1993

The Speaker announced that he had signed the following: House Bill(s) No(s). 271.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 4, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 271; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
March 4, 1993

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 271.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 4, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 87; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED
March 4, 1993

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 87.

MESSAGE FROM THE GOVERNOR
March 4, 1993

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 388; also, House Joint Resolution(s) No(s). 24, 59 and 60; with his approval.

DAVID H. WELLES, Counsel to the Governor.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

On motion of Rep. Purcell, the House recessed until Monday, March 8, 1993.